

Applicant(s): Daly, et al.
Serial No.: 09/672,148
Filed: September 28, 200

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner in is believed to place the application in a condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Status of Claims

Claims 1-24, 27-29, 31, 32 and 34-57 are pending in the application. Claims 25, 26, 30 and 33 were cancelled in previous papers. Claims 1-24, 27-29, 31, 32 and 34-57 were rejected. No amendments are being made in this paper.

Double Patenting Rejection

The Examiner rejected claims 1-57 based on nonstatutory obviousness-type double patenting, as being unpatentable over claims 1-10 of US Patent No. 5,274,738. Applicants note that claims 25, 26, 30 and 33 were cancelled in previous papers.

Without conceding the appropriateness of this rejection, Applicants are filing herewith a terminal disclaimer specifying the term of US Patent No. 5,274,738.

Applicants request that the rejection of claims 1-57 based on nonstatutory obviousness-type double patenting, as being unpatentable over claims 1-10 of US Patent No. 5,274,738, be withdrawn.

CONCLUSION

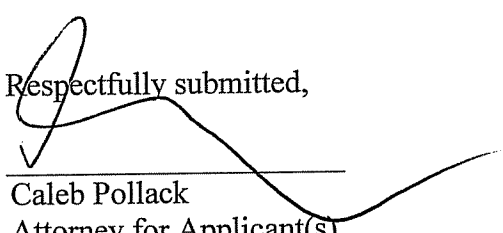
In view of the foregoing remarks, and for at least the reasons discussed above, Applicants respectfully submit that the pending claims are allowable. Their favorable consideration and allowance is respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

Applicant(s): Daly, et al.
Serial No.: 09/672,148
Filed: September 28, 200

Separate from the fees for the terminal disclaimer, being paid separately, no fees are believed to be due associated with this paper. However, if any such fees are due, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,



Caleb Pollack
Attorney for Applicant(s)
Registration No. 37,912

Dated: February 3, 2009
Pearl Cohen Zedek Latzer, LLP.
1500 Broadway, 12th Floor
New York, NY 10036
Phone: (646) 878-0800
Fax: (646) 878-0801